

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : (To Be Assigned) Confirmation No. : (TBA)  
Applicant : Henning OSTERWALD  
Filed : February 27, 2004  
TC/A.U. : (To Be Assigned)  
Examiner : (To Be Assigned)  
Docket No. : 095309.53251US  
Customer No. : 23911  
Title : Internal Combustion Engine With An Exhaust Gas  
Turbocharger And An Exhaust Gas Recirculation Device  
And Method Of Operating Same

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97 and 1.98**

**Mail Stop PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**STATEMENT OF RELEVANCE**

The relevance of German Reference DE 28 55 687 and corresponding U.S. Patent 4,179,892 to the subject matter of the present invention is given in the Background and Summary of the Invention in the specification of the present invention.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first

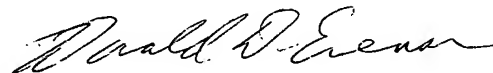
Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, the paper should be considered as a petition for consideration of the Information Disclosure Statement under 37 C.F.R. §1.97(d)(2) and that the petition fee set forth in 37 C.F.R. §1.17(i) in accordance with 37 C.F.R. §1.97(d)(3) should be charged to Deposit Account No. 05-1323 (Docket No.: 095309.53251US).

Respectfully submitted,

February 27, 2004



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FORM PTO-1449 U.S. Department of Commerce Patent & Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT</b> <i>(Use several sheets if necessary)</i>	Attorney Docket No. 095309.53251US	Serial No. (To Be Assigned)
	Applicants:    Henning OSTERWALD	
	Filing Date February 27, 2004	Group (To Be Assigned)

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
	AA	4,179,892	12/25/1979	Heydrich	60	605	12/27/1977
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Sub- Class	TRANSLATION	
							Yes	No
	AK	DE 28 55 687	08/26/1982	Heydrich			Abstract	
	AL							
	A M							
	AN							
	AO							
	AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	AQ						
	AR						
	AS						

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.	